

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ALEJANDRO BENAVIDEZ

Plaintiff,

v.

BURLINGTON NORTHERN SANTA FE
CORP, *et. al.*

Defendant.

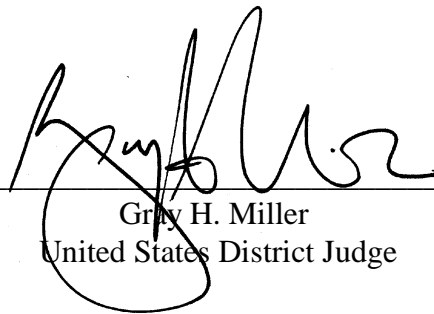
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CIVIL ACTION G-07-105

ORDER

Defendants' motion to reconsider order of April 29, 2008 (Dkt. 137) is GRANTED. It is therefore ORDERED that the Court's order and opinion entered April 29, 2008 (Dkt. 131) is VACATED and set aside. The motions for summary judgment that are the subject of that order shall remain pending subject to further order of this Court.

Signed at Houston, Texas on May 23, 2008.



Gary H. Miller
United States District Judge